

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
Group Art Unit 2686

2686  
#7  
SI  
09/05-04

In re  
Patent Application of

Kousuke Asami

Application No. 09/975,102

Confirmation No.: 8765

Filed: October 11, 2001

Examiner: Simeon M. Balban

“CELLULAR PHONE”



I, Elizabeth M. Campbell, hereby certify that this correspondence is being deposited with the US Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date of my signature.

Elizabeth M. Campbell

Signature

1/29/04  
Date of Signature

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FEB 05 2004

Technology Center 2600

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
PURSUANT TO 37 CFR §1.97(c) and (e)(1)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The Examiner's attention is directed to the references which are listed on the attached Form PTO/SB/08A and/or PTO/SB/08B and copies of which are attached. Citation of these references is respectfully requested.

In accordance with 37 CFR 1.97(c) and (e)(1), the undersigned hereby certifies that each item of information contained in this information disclosure statement was first cited in a communication from a foreign patent office in a counterpart Japanese application not more than three months prior to the filing hereof. Copies of the Japanese office action and English translation are enclosed.

No concession is made that these documents are prior art, and Applicant expressly reserves the right to antedate the documents as may be appropriate.

Respectfully submitted,

Date: 1-29-04

Perry J. Hoffman, Reg. No. 37,150  
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File Number: 14001652  
Dispatch Number: 437479  
Dispatch Date: December 16, 2003

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#### NOTIFICATION OF REASONS FOR REFUSAL

Number of Patent Application: Patent Application No. 2000-311119  
Drafting Date: December 8, 2003  
Patent Office Examiner: Masaya [or "Seiya", etc.] Kajio 9370 5G00  
Agent of the Patent Applicant: Fuyuki Iwakabe  
Provisions applied: Article 29, Clause 2, Article 29 (2)

This application should be rejected due to the following reasons. If you have an opinion concerning this, please submit a written opinion within 60 days from the date of the dispatch of this notification.

##### Reasons

1. Since the invention for the following claims of this application is something that could have been invented easily by a person possessing the ordinary knowledge in the field of technology to which that invention pertains prior to this application, based on the inventions described in the following publications that were disseminated in Japan or in foreign countries prior to this application or inventions that could have been used by the public through telecommunication lines, it cannot receive a patent due to the provisions of Article 29, Clause 2 of the Patent Law.

2. Since the invention for the following claims of this application is the same as the inventions described in the specifications or figures that were originally attached to the requests of the following patent applications, the latter being patent applications prior to the application date of this application that were published as unexamined patent applications after this application, and moreover the inventor of this application is not the same as the persons who invented the above-described inventions for the patent applications prior to this application, and in addition that applicant is also not the same as the applicants of the above-mentioned patent applications, at the time of this application, it cannot receive a patent due to the provisions of Article 29 (2) of the Patent Law.

(Listed reference of cited documents, etc. for the cited documents, etc.)

(Concerning Reason 1)

\* Concerning Claims 1 to 9/Cited Document 1

The fact that the device is equipped with two speakers, and the playback of music or telephonic communication is carried out, has been described in Cited Document 1.

(Concerning Reason 2)

\* Concerning Claims 1 to 9/Cited Documents 2 and 3

An invention that is identical to the invention for this application has been described in Cited Documents 2 and 3.

Notification of the reasons for refusal will be provided in the event that new reasons for refusal are discovered.

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**List of Cited Documents**

1. The CD-ROM of Application for Utility Model Registration No. H03-60730 (Publication of Unexamined Utility Model Registration No. H05-6958)
2. Patent Application No. H11-363458 (Publication of Unexamined Patent Application No. 2001-177609)
3. Patent Application No. 2000-291200 (Publication of Unexamined Patent Application No. 2002-101171)

**Record of the Results of the Prior Art Document Search**

* Technical field searched	IPC 7 <sup>th</sup> edition	H04M1/00 – 1/253
		H04M1/58 – 1/62
		H04M1/66 – 1/82

\* Prior art documents

The record of this prior art document search does not constitute reasons for refusal.